



## Distance Learning Takes Shape

Increased demand for ready access to educational content, coupled with the enormity and complexity of the state court system in California, is driving expansion of distance education to the courts.

“Distance education represents a relatively recent approach to learning that is effective, is accessible, and can be tailored for local and/or individual use,” says Karen Thorson, Education Division Director at the Administrative Office of the Courts (AOC). “Our hope is to become a more valuable resource for the courts by providing an array of distance education options that will supplement our current traditional delivery.”

Last May, the AOC inaugurated its newest distance learning project with a satellite broadcast titled “Juries: Strategies for Better Trials.” That first-

of-its-kind event brought together judges, attorneys, and jury experts. The broadcast originated in San Francisco and was downlinked to multiple court sites throughout California.

### APPELLATE BROADCAST

Continuing its development of satellite education, on February 14 CJER presented its first educational broadcast for the appellate courts: “Identifying Recusal Issues.” The broadcast gave justices of the Courts of Appeal and the Supreme Court an opportunity to exchange ideas with their colleagues about recusal issues in order to ensure public confidence in the judiciary.

During the broadcast, justices heard from a studio panel that consisted of Justice Rebecca A. Wiseman, Fifth Appellate District (moderator); Justice Judith Lynnette Haller, Fourth Appellate District, Division One; Justice Thomas E. Hollenhorst, Fourth Appellate District, Division Two; and Frederick Ohlrich, Clerk of the Supreme Court. The panel members shared their ex-

periences involving disqualification. Justices at each downlink site participated in small group discussions and posed questions to the panel.

### WEEKLY BROADCASTS

In addition to providing distance education for judges and justices, CJER is expanding its services to meet the educational needs of more than 19,000 court employees.

This spring CJER will debut its weekly satellite broadcasts, which will serve as orientation classes for new court employees and as continuing education for supervisors and other employees. The classes will air at 9 a.m. every Tuesday and will continue throughout the year.

The weekly broadcasts will cover topics pertinent to court staffs, such as an overview of the judicial branch, how a case flows through the court system, the role of the Judicial Council and the AOC, legal advice versus public information, ethics, fairness, and avoiding sexual harassment. As in its previous satellite broadcasts, CJER will use moderators to guide the presentation; invite telephone, fax, and e-mail questions from participants; and provide local on-site facilitators for large classes. Some of the broadcasts will be offered expressly for either su-



On February 14, the Center for Judicial Education and Research presented “Identifying Recusal Issues,” its first educational broadcast to the appellate courts delivered via satellite. The panel for the broadcast included (left to right) Justice Thomas E. Hollenhorst, Fourth Appellate District, Division Two; Justice Rebecca A. Wiseman, Fifth Appellate District (moderator); Frederick Ohlrich, Clerk of the Supreme Court; and Justice Judith Lynnette Haller, Fourth Appellate District, Division One.

pervisory or nonsupervisory personnel.

One of the benefits of satellite broadcasts is the flexibility they give the courts in scheduling staff training. CJER invites feedback from the courts on ways in which the program can better meet their employees’ needs.

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## Study Indicates Growing Need for Court Interpreters

California’s courts will experience a steady increase in both the need for interpreter services and the diversity of the languages in which those services are needed, according to a recent Judicial Council report.

Submitted in December, the *Report to the Legislature on the Use of Interpreters in the California Courts* provides a breakdown of expenditures for court interpreters and interpreter coordinators and an analysis of the availability of interpreters across the state. It also includes recommendations for increasing the number of qualified court interpreters.

### DATA COLLECTED

Although the report analyzes interpreter services statewide, staff from the Research and Planning Unit of the Administrative Office of the Courts (AOC) collected much of the data from nine sample courts. These included large urban courts as well as small rural courts and represented a

variety of regions of California.

The report points out that the data relate to criminal matters, for which interpreter services are mandatory, and does not include statistics from other areas of the law, such as civil and family law. In addition, the data do not capture the delays in proceedings caused by the unavailability of qualified interpreters.

Among other conclusions, the council’s report shows that in fiscal year 2000–2001:

- ❑ Trial courts spent \$58.46 million in direct payments to interpreters for their services—approximately 3 percent of total court expenditures of \$1.9 billion.
- ❑ The second largest category of expenditures related to interpreter services—\$4.47 million—includes trial court staff members who work as interpreters, as interpreter coordinators, and in areas of court operations that support interpreter programs.

- ❑ Transportation/travel and “other expenditures” make up the remaining \$1.53 million spent by the trial courts on interpreting services.
- ❑ Of the \$28.7 million used for interpreting in the nine sample courts, 81.6 percent went to Spanish language interpreting.
- ❑ The Superior Court of Los Angeles County dominates in the use of interpreting services: it accounted for 43.3 percent of statewide expenditures for court interpreters.
- ❑ The manager of interpreter services for the Superior Court of Los Angeles County estimates that more than 40 proceedings are continued every day in that county because of the lack of an available, qualified interpreter.
- ❑ Specific interpreting needs vary across the state, with certain counties such as Fresno and Merced showing a growing need for South Asian and Southeast Asian language services.

### SHORTAGE OF INTERPRETERS

The report recognizes a shortage of qualified interpreters and predicts that in fiscal year 2002–2003 the interpreting

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# CJAC 2002

The dialogue continues on pages 8 and 9.



Chief Justice  
Ronald M.  
George

#### MESSAGE FROM THE CHIEF JUSTICE

## The Council and the Courts: A 75-Year Partnership

*Chief Justice Ronald M. George, at an anniversary dinner in San Francisco on January 29, commemorated some of the major achievements of the Judicial Council and the California courts in the last 75 years. Attending the celebration held at the Argent Hotel were council members from the last four decades, along with other court and government leaders.*

*Following is an excerpt from the Chief's address.*

To many, the Judicial Council may still seem swathed in mystery. But for more and more individuals in the judicial system, in our sister branches of government, and in the public at large, the council has assumed an increasingly visible and valuable leadership position for the judicial branch.

Nor is it mere coincidence that the council's growing prominence has been matched by the emergence of a stronger, more independent, more effectively managed, and more service-oriented court system across California. The council's expanding role and our court system's wider assumption of responsibilities in the community, both local and statewide, have been the critical components in ensuring that the judicial branch remains strong and independent for the benefit of all Californians. . . .

#### EVOLVING JUDICIAL SYSTEM

Since 1926, the council's mission has changed and expanded in order to meet the ever-increasing needs of our ever-changing state and to ensure that our judicial system remains strong and independent.

Chief Justice William Waste, my predecessor at the time the Judicial Council was incorporated into our Constitution, began by assessing the operations of all of the trial courts—the first time that had been done. It was not an easy task, and his documentation of some 800 different permutations of trial courts in the state—8 different types of court below the superior court, including such courts as district courts, county courts, city courts, probate courts, recorders' courts, class A and class B township courts, and police courts—gave impetus to efforts to streamline the system statewide.

Chief Justice [Phil S.] Gibson observed as late as 1949, in an article published in the *California State Bar Journal*, that "there are very few lawyers who can correctly name all the types of trial courts in this state, much less give the source and extent of their jurisdiction." (24 State Bar J. 382, 384.) In 1950, the Constitution finally was amended to limit the trial court structure of our state to justice courts, municipal courts, and superior courts, abolishing the hodgepodge of inferior courts.

Efforts to simplify the trial court system continued, and in 1994 the justice courts were abolished and became municipal courts. And finally, just last February, I swore in the last four surviving municipal court judges as Kings County superior court judges, signaling the final unification of our trial system into one comprehensive level of court. We now have 58 trial courts—one for each county—reduced from the approximately 220 trial courts that we had only a few years ago.

The Judicial Council was involved in this evolution at every juncture, and as we look back 75 years to the first efforts to document the array of courts then in operation, it becomes obvious that our successes as the 20th century drew to a close had their origins in the decades-long movement to imbue court administration with a statewide, rather than a purely local, perspective. . . .

#### JUDICIAL COUNCIL VISION

During the past few decades, the council and the court system as a whole have broadened their vision for the courts. Of course, the fair adjudication of disputes that come before the courts for decision remains the core judicial function. But we have become acutely aware that if only a select few can take advantage of the judicial system, the courts—no matter how fairly they handle those cases—will not be meeting their responsibility to administer justice for all.

In 1992 the Judicial Council began an unprecedented process of critical self-examination that continues to this day. For the first time, the council met to consider goals for itself and for the court system as a whole. From the start, the foremost mission of the council, guiding all of

its actions, has been improving access and fairness in the administration of justice in our state.

As the last millennium drew to a close, our courts entered a period of incredible change, challenge, and expansion. The court system was growing, but filings were increasing even more quickly. At the same time, the demands and expectations placed upon the courts by the public were exploding at an unprecedented pace.

The courts faced a choice. They could remain passive and narrowly focused, concentrating on day-to-day issues and leaving the big picture and the planning for the future to others, or they could look up from the bench and out to the world at large to consider not only the issues involved in the cases at hand but also the health and strength of the entire system.

Our court system answered the call. It turned its attention not only to individual courts and cases but to the needs of society and the system as a whole. It took seriously the fact that our branch relies on the trust and confidence of the public to fulfill its constitutional role in protecting the rule of law. Without doubt, the road taken has been the right one—although the precise direction to be taken was not always free of dispute. A balance always must be struck between statewide administration and the degree of local autonomy required to meet the needs of individual courts and the communities they serve. The variety of our state demands a menu of solutions, but at the same time it challenges us to ensure that, in all parts of the state, access to justice and to appropriate services are equally available to all. . . .

#### THEN AND NOW

Looking back over the past 75 years, it has been a remarkable journey. If our counterparts from 1926 were to join us today or attend the upcoming council meeting and CJAC, they would find much to surprise them—and yet much that would seem very familiar.

Unlike 75 years ago, the courtrooms and courthouses of today are staffed at every level by men and women from a variety of racial and ethnic backgrounds. Our predecessors would be startled to find a funding system aimed at equalizing the administration of justice across the state; uniform rules that meet the needs of ever more mobile lawyers and litigants; joint efforts by the courts and social services agencies to meet the specialized needs of families, children, the homeless, and the addicted; community outreach efforts by judges; the provision of interpreters to translate more than 100 languages; and accommodations for the disabled to enable them to take full advantage of court services. The number of cases now flowing through the system would probably astonish those who preceded us, as would the sheer size of the system itself and its use of technology.

What, then, would be familiar? If our counterparts from 1926 were to step inside the courtroom and see a trial court in operation, they would feel very much at home, especially if the courthouse were one of our historic relics in operation since the late 1800s or early 1900s. Also unchanged would be our adherence to the rule of law, with adjudication based upon the facts of each case and the law rather than upon personal preference or outside influence. The principles that are so important to us today—such as equal justice for all—are constants that are not new to our system, and living up to them continues to be our guiding goal.

As we look back over the past 75 years, it is clear that our judicial system has benefited from an extraordinary array of talent, dedication, and determination on the part of judges, subordinate judicial officers, lawyers, court administrators, and court employees. California's court system has long been considered a leader in the nation, and that reputation is richly deserved.

Looking back over the past 75 years, it is also quickly apparent that the Judicial Council has played an integral part in enabling our branch to flourish. The council truly has assumed a leadership role in efforts that have resulted in a list of achievements greatly benefiting the public, the bar, the courts, and the overall administration of justice.



Judicial Council Action

# Council Focuses on State Court Budget

Governor Gray Davis’s proposed 2002–2003 budget combines difficult but necessary reductions in spending with fiscal remedies for a sharp revenue shortfall (the result of a national recession and the September 11 terrorist attacks), a top state finance official told the Judicial Council at its January 30 meeting.

Betty T. Yee, Chief Deputy Director of the California Department of Finance, provided council members with a detailed report on the Governor’s budget priorities. Expressing optimism for the coming year, Ms. Yee stated that previous tax cuts and increased federal government spending will help bring about a rebound in the economy by midyear 2002.

OTHER ACTIONS

In other actions, the council:

- Received the first annual report on fiscal year 2000–2001 trial court expenditures, based on quarterly financial statements. Fiscal year 2000–2001 was the first year for which trial courts collected and reported financial information using a new format that conforms the judicial branch budget more closely with that of the executive branch. In addition, the council heard reports on allocations and expenditures of the Trial Court Trust Fund (TCTF),

Trial Court Improvement Fund, and Judicial Administration Efficiency and Modernization Fund (Mod Fund).

- Approved new guidelines that will govern fund allocation and expenditure tracking for the TCIF and Mod Fund. The council also voted to give the Administrative Director of the Courts authority to approve allocations that comply with the new guidelines. Both actions took effect February 1, 2002.

- Received a report on the follow-up activities of the Task Force on Court Facilities, which last year issued its final report. The report recommended that the state assume responsibility for funding California’s 451 court facilities. It included updates on the drafting of legislation to implement the recommendations of the task force; development of a master plan for superior court facilities in each county; and new standards for construction, renovation, and remodeling of facilities.

- Approved a draft Drug Court Partnership Act report developed by members of the Collaborative Justice Courts Advisory Committee, the Administrative Office of the Courts, and the Department of Alcohol and Drug Programs. A final report is due to the Legislature by March 1, 2002.

## Budget Priorities for Trial Courts

At its March 1 meeting, the Judicial Council approved priorities for the superior courts’ nearly \$2.5 billion budget.

Under rule 6.101 of the California Rules of Court, the council is required to establish the fiscal priorities that best enable the state court system to achieve its goals. In addition, the council is responsible for developing the judiciary budget and advocating for it to the Governor and Legislature.

Budget priorities reflect a new process that links the courts’ financial planning to their strategic planning process and to the long-term goals of the council. All the superior court systems and several Judicial Council advisory committees and task forces provided input to the council’s prioritizing. (See the list of budget priorities at right.) ■

The following table represents the Judicial Council’s prioritization of the state’s trial court budget for fiscal year 2003–2004. The council divided budget priorities into mandatory costs (those the courts will have to pay whether or not new funding is received) and nonmandatory costs (those the courts are not required to assume).

Priority Ranking	Priority Area
1	NSIs (negotiated salary increases) and benefits for court staff and security
2	Pay equity adjustments (unification only) for court staff
3	Increased county charges
4	Operating expense increase (postage and mailing)
5	Court interpreters (workload increase and rate increase equivalent to NSI)
6	Pay equity adjustments (market-driven)
7	Technology
8	County-state transition—fiscal and human resources
9	Judicial salary increase
10	Families and children
11	Records management
12	Perimeter security
13	Legal research
14	Self-help centers
15	Facilities
16	Staff education and training
17	Court reporters
18	Court interpreters (rate increase above NSI equivalent)

## Supreme Court Makes More Case Information Available Online

Joining the state’s six appellate districts, the California Supreme Court has made it easier for litigants, attorneys, and the public and press to quickly obtain up-to-date online information about pending high court cases. The Internet address for the online service is <http://appellatecases.courtinfo.ca.gov>.

Site visitors can now search case information by Supreme Court, Court of Appeal, or superior court case number or by the name of an attorney of record, the name of a party, or the case title. Case information is updated hourly throughout the business day. Users of the system can also receive e-mail notification of updated case activity by registering online and providing a case number and an e-mail address.

“Today, the Supreme Court has taken another important step to provide increased public access to the court’s work,” said Chief Justice Ronald M. George in a press release distributed by the court. “With the expansion of modern technol-

ogy in the judicial branch, the court is pleased to make case information available 24 hours a day, seven days a week, via the Internet.”

Whereas the case information Web site has been in operation for the last two years for cases pending in the Courts of Appeal, the Supreme Court’s former computer system was not Internet compatible. With a new Supreme Court case management system in place, all of California’s appellate courts can now offer up-to-date online case information.

Since 1994, the Supreme Court has provided online access to its written opinions at the time of filing—10 a.m. on Mondays and Thursdays—at a related Web address:

[www.courtinfo.ca.gov/opinions](http://www.courtinfo.ca.gov/opinions). The court also provides same-day online access to the results of its weekly petition conferences, during each of which the court considers up to 200 requests to review cases.

For more information, contact the Supreme Court Clerk’s Office, 415-865-7000. ■

## Santa Cruz Court Exec Is Newest AOC Regional Director

The Administrative Office of the Courts (AOC) appointed Christine Patton, Executive Officer of the Superior Court of Santa Cruz County, as its new administrative director of the Bay Area/Northern Coastal region. Ms. Patton will assume her new duties in July.

“Chris has proved throughout her career that she has the leadership skills needed to handle the many challenges confronting our court system today,” says William C. Vickrey, Administrative Director of the Courts. “Her experience as an executive officer of a smaller court, her involvement in many complex issues statewide, and the friendships and respect she has across the state make her uniquely qualified for this challenge.”

“I am very excited about working with the courts in the Bay Area/Northern Coastal region,” says Ms. Patton. “While I will miss working on a day-to-day basis with the wonderful judges, staff, and justice partners in Santa Cruz County, I look forward to making new acquaintances and strengthening existing friendships as regional director.”

Ms. Patton is one of three new regional administrators the AOC has appointed in the last year; the others are former Ventura County court executive Sheila Gonzalez, appointed for Southern California, and former Sacramento County court executive Michael M. Roddy, appointed for Northern/Central California. The goals of the regional offices are to expand services to the trial courts and to provide an effective liaison between the AOC and the courts, especially in the areas of technology, finance, and human resources.

The new regional office will serve the 16 counties in the First and Sixth Appellate Districts and the superior courts within them. The 12 counties in the First District are Alameda, Contra Costa, Del Norte, Humboldt, Lake, Marin, Mendo-

cino, Napa, San Francisco, San Mateo, Solano, and Sonoma. The 4 counties in the Sixth District are Monterey, San Benito, Santa Clara, and Santa Cruz. The regional office will be housed in the Hiram W. Johnson State Office Building in San Francisco.

The executive officer of the Santa Cruz County court since 1988, Ms. Patton guided the court system through its transition from municipal and superior courts to consolidated/coordinated courts and eventually to a unified court in 1998. She also contributed to statewide judicial administration by serving on a variety of Judicial Council committees and task forces, including the Task Force on Trial Court Employees and the Trial Court Budget Commission. She is currently an advisory member of the Judicial Council and vice-chair of the Court Executives Advisory Committee.

Ms. Patton began her court and legal career after earning her law degree from Stanford Law School in 1981. She clerked for the Court of Appeals in Oregon for one year, then ventured into private practice in California from 1981 to 1983. She served as a legal research attorney for the Santa Cruz County Superior Court from 1986 to 1988, when she was appointed the court’s administrator.

“I wholeheartedly endorse Chris’s selection,” said Charles D. Ramey, Executive Officer of the Superior Court of Solano County. “She is a committed and proven professional with many years of management experience in the California trial courts. She knows the issues, concerns, and challenges on the ground and has extensive statewide experience that uniquely qualifies her for this new role.” ■



Christine Patton